

#487
BILL NO. G-91-05-08

GENERAL ORDINANCE NO. G-28-91

AN ORDINANCE OF THE COMMON COUNCIL OF THE
CITY OF FORT WAYNE, INDIANA,
AMENDING CHAPTER 33 OF THE MUNICIPAL
CODE OF THE CITY OF FORT WAYNE.

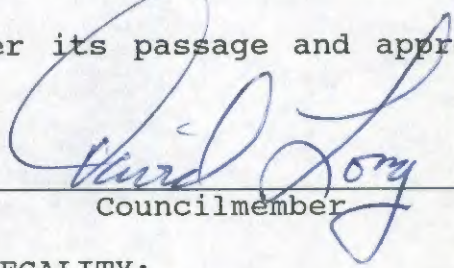
BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF
FORT WAYNE, INDIANA:

SECTION 1. Section 33-13 (1) shall be amended to add
the following:

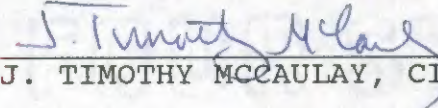
(1) In R-1, R-2, RA and RB, the Board of Zoning
Appeals may permit a mortuary.

SECTION 2. All other items and provisions of Chapter
33 of the Municipal Code are hereby ratified and affirmed.

SECTION 3. That this Ordinance shall be in full force
and effect from and after its passage and approval by the
Mayor.


Councilmember

APPROVED AS TO FORM AND LEGALITY:


J. TIMOTHY MCCAULAY, CITY ATTORNEY

Read the first time in full and on motion by Henry, seconded by Redd, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock _____ M., E.S.T.

DATED: 9-10-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Henry, seconded by Redd, and duly adopted, placed on its passage. PASSED LOST by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>
<u>TOTAL VOTES</u>	<u>9</u>			
<u>BRADBURY</u>	<u>✓</u>			
<u>BURNS</u>	<u>✓</u>			
<u>EDMONDS</u>	<u>✓</u>			
<u>GIAQUINTA</u>	<u>✓</u>			
<u>HENRY</u>	<u>✓</u>			
<u>LONG</u>	<u>✓</u>			
<u>REDD</u>	<u>✓</u>			
<u>SCHMIDT</u>	<u>✓</u>			
<u>TALARICO</u>	<u>✓</u>			

DATED: 10-8-91

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING MAP) ORDINANCE RESOLUTION NO. 2-28-91 on the 8th day of October, 1991

ATTEST:

(SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 9th day of October, 1991, at the hour of 2:00 o'clock P. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 18th day of October, 1991, at the hour of 4:30 o'clock P. M., E.S.T.

PAUL HELMKE
PAUL HELMKE, MAYOR

FACT SHEET

G-91-09-08

BILL NUMBER

**Division of Community
Development & Planning****BRIEF TITLE**

Zoning Ordinance Amendment

APPROVAL DEADLINE**REASON****DETAILS**

Specific Location and/or Address N/A
Reason for Project This amendment will allow for a mortuary as a "Special Use" in the R-1, R-2, RA and RB districts under the Special Use provisions of the Zoning Ordinance.
Discussion (Including relationship to other Council actions) <u>16 September 1991 - Public Hearing</u> Greg Purcell, Executive Director of C&ED appeared before the Commission. Mr. Purcell stated that at the last Plan Commission meeting there was a petition for a rezoning for a mortuary. He stated that the Commission wanted to approve it and so did the staff, but they did not want to set a precedent and allow all of the uses there that the requested zoning would allow. He stated that as a result, they asked the Commission's consent at that time to move forward on a zoning ordinance amendment, which would allow a mortuary use in the above stated districts with approval of the Board of Zoning Appeals. He stated that this is the ordinance that would accomplish that and would allow the petitioner to come back into the Board of Zoning Appeals to establish the use at the location they had requested rezoned. There was no one else present who wished to speak in favor of or in opposition to the proposed amendment.

POSITIONS**RECOMMENDATIONS**

Sponsor	City Plan Commission
Area Affected	City Wide Other Areas
Applicants/ Proponents	Applicant(s) City Plan Commission City Department Other
Opponents	Groups or Individuals Basis of Opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
Board or Commission Recommendation	By <input checked="" type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions to conditions (See Details column for conditions)
CITY COUNCIL ACTIONS (For Council use only)	<input type="checkbox"/> Pass <input type="checkbox"/> Other <input type="checkbox"/> Pass (as amended) <input type="checkbox"/> Hold <input type="checkbox"/> Council Sub. <input type="checkbox"/> Do not pass

DETAILS

23 September 1991 - Business Meeting

Motion was made and seconded to return the ordinance to the Common Council with a DO PASS recommendation.

Of the eight (8) members present, seven (7) voted in favor of the motion, one (1) did not vote.

Motion carried.

POLICY/ PROGRAM IMPACT

Policy or
Program
Change

☐

No

☐

Yes

Operational
Impact
Assessment

(This space for further discussion)

Project Start

Date 30 August 1991

Projected Completion or Occupancy

Date 24 September 1991

Fact Sheet Prepared by

Patricia Biancaniello

Date 24 September 1991

Reviewed by

Michael A. Apps

Date

Reference or Case Number

#487

ORIGINAL

DIGEST SHEET

ORIGINAL

TITLE OF ORDINANCE Zoning Ordinance Amendment

DEPARTMENT REQUESTING ORDINANCE Land Use Management - C&ED

SYNOPSIS OF ORDINANCE Will allow a mortuary as a "Special Use" in the
R-1, R-2, RA and RB districts under the Special Use provisions of the
Zoning Ordinance.

5-91-09-08

EFFECT OF PASSAGE Mortuary may be permitted in R-1, R-2, RA or RB as a "Special
Use".

EFFECT OF NON-PASSAGE Current ordinance permits a mortuary in an R-3 District,
or commercial district.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) None

(ASSIGN TO COMMITTEE (J.N.)) _____

BILL NO. G-91-09-08

REPORT OF THE COMMITTEE ON REGULATIONS

THOMAS C. HENRY, CHAIRMAN
DAVID C. LONG, VICE CHAIRMAN
EDMONDS, SCHMIDT, BRADBURY

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) OF THE COMMON COUNCIL
OF THE CITY OF FORT WAYNE, INDIANA, AMENDING CHAPTER 33 OF THE
MUNICIPAL CODE OF THE CITY OF FORT WAYNE

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

Thomas C. Henry
David C. Long
R. Edmonds
W. Schmidt
D. Bradbury

DATED: 10-8-91

Sandra E. Kennedy
City Clerk